1: Hoebel E-5 (1933) 1940 NO6 Comanche NO6

gate the general cultural background of the Shoshones and to determine, if possible, the basic legal patterns of the Shoshones for comparative reference to those revealed by the Comanches. The comparative results and inferences may be found in Appendix A of this memoir.

With the enlisted interest of the American Council of Learned Societies resulting from the findings in Comanche and Shoshone culture, the Committee on Law History set up a project on American Indian law. In 1935 and 1936 the Committee projected a study of Cheyenne political and legal institutions which was carried out by the present author in collaboration with Karl Llewellyn. Cheyenne institutions reveal much in common with those found in Comanche society, for the economic base of both cultures is similar. Cheyenne culture is more sophisticated than Comanche; less adolescent, one might say. Comparatively, Cheyenne behavior represents a higher level of institutionalization, thus providing to a degree an extension of Comanche trends. The Cheyenne materials are being prepared for separate publication.

121 671 ●153 128 In studying Comanche legal institutions one must proceed by means of case histories. The Comanches underformalized their conception of their own behavior. To them legal action was merely an individual response to a threatening circumstance. It was not the playing of a role in a set legal institution. Thus the Comanches had no concept of law as an institution, or even as a set of rules. So, when the Comanche informant is asked such a question as this, "What was the rule when one man ran off with another's wife?", the answer comes in this form, "Well, I don't know about that. But I can tell you what happened when my uncle stole Horned Toad's wife." The Comanche and the case-trained American lawman proceed in like manner. What holds perforce for the Comanche should hold for the study of all primitive law. Legal behavior is *behavior* and should be treated as such. Malinowski has long since laid down the canon that behavior-in-fact is by no means in accord with the verbalized ideal to which a society may may give lip-service. The verbalized ideal is an important cultural fact when such ideal exists, but the actual conduct of a people is of more fundamental count. The verbalized ideal of the Comanche is the supremacy and free action of the individual. Case histories, when piled up, show that there were limiting legal mechanisms at work, however. The liberal use of case histories in the text is not for the purpose of providing interesting anecdote. The histories hold within themselves the juice of life-situations, revealing the sway and counter-play of emotion and motive, demonstrating the broad range of variability in conduct in given situations. Case histories give the native's coloring to the report, transmitting to the reader the *impondrables of native life* which Malinowski so aptly insists be given.

20: Wallace H-4,5 (1945) 1953 NO6 Comanche NO6

657 But the movement to the public schools required time.
871 Although Congress had enacted legislation as early as 1891
permitting officials to compel attendance, the law had been
used only rarely to fill the government schools. Compul-
sory public school attendance at the opening of the new
[177] century was not yet practical. Allotments were not com-
pleted until 1906, the schools were few and small, and many
whites were still opposed to Indian children in the public
schools even for the increased revenue. Furthermore, the
Indians did not want to attend. Only forty were enrolled
in 1910, but the number increased rapidly during the fol-
657 lowing years. By enrolling the orphans, destitute, and un-
871 desirables in the government schools, the agency removed
177 the cause for much of the white opposition. In 1918 the fed-
eral government ruled that the public schools must accept
Indian children on the same basis as white children. By
1930, when 884 of the 1582 Indian scholastics were enrolled
in public schools, practically all prejudice had disappeared.[46]

871 Teacher reports indicate that Indian children under fif-
153 teen years of age progress as rapidly as white children of
657 the same age group under similar circumstances. Children
871 in the public schools do not get as much vocational training
874 nor as long a term as those in the government schools. The
Indian Office staff has urged all schools to include vocational
training courses in the curriculum and believes that a few
should adopt a program similar to that of the two govern-
ment schools in order to provide every Indian boy and girl
657 opportunity to obtain a practical education. About two-
871 thirds of the two thousand scholastics in 1944-45 were in
[658] public schools. The cost of the entire education program
on the Kiowa-Comanche jurisdiction for the same year
amounted to $164,104.72[47] or $82.52 for each scholastic. Com-
pared with state appropriations, this was a liberal expendi-
ture.

797 Christian missionaries not only helped to fill the gap be-
tween the restricted government schools and the public

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46. Superintendent Kiowa-Comanche Agency, Annual Report, 1910; Commissioner of Indian Affairs, Annual Report, 1918, 29; Buntin, op. cit., sec. III, 11.
47. Taylor to Wallace, personal interview, June 12, 1945.

31: Jones E-5 (1967-1970) 1972 NO6 Comanche NO6
Oklahoma

121 doctor. Ethnographic materials and popular materials on the colorful Comanche raiders are available, but very little has been previously recorded on the institution of the Comanche traditional doctor.

123 Jones was able to obtain his excellent data as the adopted son of Sanapia. As he explains, this close association had disadvantages as well as advantages. It was assumed, for example, that as Sanapia's son, the author would automatically know many of the obvious aspects of the doctor's role. Furthermore, the role of "Young Son" carried with it a series of complex, reciprocal role relations.

128 The reader is given intimate details concerning Sanapia's training, which was lengthy and complex. After the final rituals involved in receiving the Power necessary for an Eagle doctor, Sanapia had to be passed on separately by four different instructors.

One unique chapter is devoted to the detailed preparation of herbal medicines and methods of administering them. The illnesses treated ranged from heart pain, pneumonia, and paralysis to exzema and loss of appetite.

158 Since Sanapia spent a great deal of time treating "ghost-sickness," the [128] author explains the meaning of the concept and describes the symptoms and treatment. Jones analyzes the psychogenic roots of this disease, considered by the Comanche to be peculiar to the "Indian." The author believes the malady may be viewed as a conversion reaction related to unmanageable psychic stresses.

756 The author attributes Sanapia's success as an Eagle doctor to the fact that 153 she was able to adapt quickly to the changes taking place in Comanche culture. This process of adaptation was simplified for Sanapia as her own home environment had required that she adjust to three disparate religious systems—the Christianity of her father, the Peyotism of her uncle and paternal grandfather, and the Plains Indian pattern of vision quests and guardian spirit represented by her mother, the Eagle doctor.

000 Upon completing the reading of the detailed study of Sanapia's training and role behaviors, the reader feels that he knows Sanapia more intimately than do her own peers.

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